

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JEROME KNIGHT, #296419,	)	
Petitioner,	)	
	)	No. 5:06-cv-105
-v-	)	
	)	HONORABLE PAUL L. MALONEY
SHIRLEE HARRY,	)	
Respondent.	)	
	)	

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**ORDER TO SHOW CAUSE**

Jerome Knight, a prisoner under the control of the Michigan Department of Corrections (“MDOC”), filed a petition for writ of habeas corpus under 28 U.S.C. § 2254. He raised a single issue, a *Batson* challenge. The factual and legal basis for Knight’s petition are similar to the *Batson* challenge brought by Gregory Rice in *Rice v. White*, No. 2:06-cv-11610 (E.D. Mich.). Rice and Knight were co-defendants in a joint trial before the Wayne County Circuit Court. The magistrate judge issued a report recommending the petition be denied. (ECF No. 37.) Knight timely filed objections. (ECF No. 38.) Meanwhile, Rice’s similar habeas petition was granted. This Court issued an order (ECF No. 39) holding the report and recommendation and objection in abeyance pending the outcome of the appeal in *Rice v. White*.

On October 24, 2011, the Sixth Circuit Court of Appeals issued *Rice v. White*, 660 F.3d 242 (6th Cir. 2011), affirming the district court’s decision to grant Rice habeas relief on his *Batson* claim. The mandate issued on June 26, 2012, after the Supreme Court denied a petition for writ of certiorari.

Therefore, Respondent shall **SHOW CAUSE** why Knight's petition for writ of habeas corpus should not be granted based on the holding in *Rice v. White*, 660 F.3d 242 (6th Cir. 2011). Respondent shall file the show-cause brief within fourteen (14) days of the date of this Order. **IT IS SO ORDERED.**

Date: July 10, 2012

/s/ Paul L. Maloney

Paul L. Maloney  
Chief United States District Judge